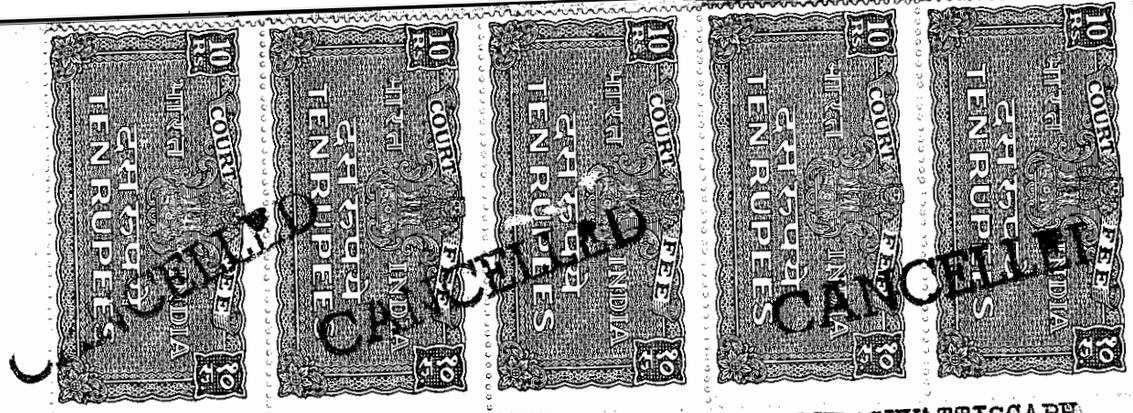

IN THE HIGH COURT OF JUDICATURE AT BILASPUR:CHHATTISGARH.

WRIT PETITION NO. 3212 /2003.

PETITIONER : M.K. Tiwari, S/o Shri P.P. Tiwari,
Aged 58 ½ years,
Working as S.D.O. Forest,
Pratappur, Distt. Sarguja (C.G.).

P. R. No. 3/23/03
Presented by Shri H.S. Patel
dated 26.10.03

- Versus -

RESPONDENT : State of Chhattisgarh
Through : The Secretary,
Department of Forest, Mantralaya,
D.K.S. Building, Raipur (C.G.).

WRIT PETITION UNDER ARTICLES 226 & 227 OF THE CONSTITUTION OF INDIA.

(39)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P.No. 3212/2003

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

15/11/2003

Shri B.D. Guru, learned counsel for the petitioner.

Shri Praveen Das, learned Panel Lawyer for the State.

Heard.

By this writ petition under Article 226/227 of the Constitution of India, the petitioner seeks to challenge the order dated 01/10/2003 (Annexure P-1) by which he has been transferred from Pratappur to Sarguja.

The petitioner is working as Sub Divisional Officer, Forest and he joined at Pratappur on 05/10/2001 and after completion of two years service now the petitioner has been transferred from Pratappur to Sarguja.

Learned counsel for the petitioner submits that the home district of the petitioner is Sarguja and the circular (Annexure P/4) is issued by the State Government upon which the learned counsel for the petitioner placed reliance that the employees who are going to retire within two years, should not be ordinarily transferred. If at all they are to be transferred, then they should be transferred on the request in the home district or in the adjoining district. Therefore, in the first instance the petitioner

(30)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -- 2 --	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

has been transferred after completion of two years from Pratappur to Sarguja and moreover he has been transferred in the home district, therefore, even if one and half years service he has remained in his retirement, the transfer cannot be considered malafide or contrary to any statutory rule.

In view of the above, I do not find any force in the petition and the same is liable to be dismissed and is dismissed.

Sd/-
L.C.BHADOO
Judge